

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EMPRESA MARITIMA AMERICANA LTD., :

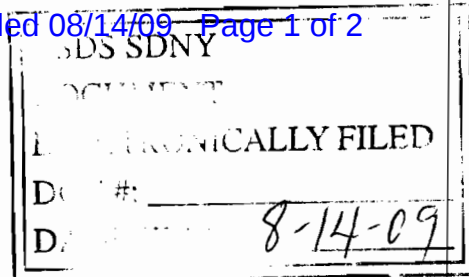
Plaintiff, :

- against - :

VIEWPOINT GLOBAL PETROLEUM, LLC., :

Defendant. :

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VICTOR MARRERO, United States District Judge.



2:09 Civ. 4518 (VM)

ORDER

By Order dated May 12, 2009, the Court granted the application of plaintiff Empresa Maritima Americana, Ltd. authorizing a Writ Marine Attachment and Garnishment (the "Order") to be served on defendant herein for a period of 90 days and directed plaintiff to file a report within 90 days of the date of the Order informing the Court of the extent of any restraint of assets pursuant to the Order. The Court further directed plaintiff to submit to the Court a report within five days of the date of any attachment pursuant to the Order, and warned that the Order would automatically expire unless within 45 days of the date of the Order plaintiff confirmed that it had commenced the arbitration proceedings pertaining to the underlying action. A review of the Docket Sheet for this case indicates no further entry in the public file, or correspondence with the Court or any other proceedings since May 12, 2009. Thus, the Order expired in accordance with its terms and plaintiff did not comply with its terms for renewal. Accordingly, for the

reasons stated above, it is hereby

ORDERED that the Clerk of Court is directed to dismiss the complaint in this action without prejudice.

SO ORDERED.

Dated: New York, New York
14 August 2009

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above the printed name and title.

VICTOR MARRERO
U.S.D.J.